

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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May 22, 2013

Honorable Lisa Margaret Smith
United States Magistrate Judge
300 Quarropas Street
White Plains, New York 10601

**Re: United States v. Stephen Cannella
12mj3228**

Dear Judge Smith:

I write on behalf of my client, Stephen Cannella, to respectfully request that the Court modify the conditions of release imposed on December 21, 2012. At that time, the Court ordered, among other conditions, release on a \$50,000 personal recognizance bond secured by the signatures of both his parents, with home detention, a curfew restricting Mr. Cannella to his father's residence after 9 p.m., and electronic monitoring. The Court did not authorize Mr. Cannella to leave his father's residence for employment or education as an exception the home confinement condition. Recently, the pretrial services officer for Mr. Cannella, Leo Barrios, received and forwarded to defense counsel the Court-ordered "sex-specific mental health assessment" prepared by Dr. Kenneth J. Lau. Based upon Dr. Lau's recommendation that Mr. Cannella obtain suitable employment, and Mr. Barrios concurring in that assessment, Mr. Cannella seeks to modify conditions of pretrial release to now allow him to seek, begin and maintain suitable employment subject to approval by Mr. Barrios.

I have spoken with Assistant United States Attorney Ilan Graf, and he takes no position with regard to this request. Thank you for your consideration of this matter.

Respectfully submitted,


Jason Ser
Assistant Federal Defender

SO ORDERED:


HONORABLE LISA MARGARET SMITH
United States Magistrate Judge

5/23/13

CC: Ilan Graff, A.U.S.A., Mr. Stephen Cannella